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CLERK OF DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY 

DEPUTY

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Counsel for Petitioner (additional counsel on next page)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

JAIRO BRAVO PEDROZA,

Petitioner,

v.

NORA ATUNEZ, Director, San Diego Field
Office, Office of Detention and Removal
Operations, U.S. Bureau of Immigration and
Customs Enforcement, in her official capacity;
and ANTHONY CERONE, Officer-in-Charge of
the San Diego Correctional Facility, U.S. Bureau
of Immigration and Customs Enforcement, in his
official capacity; MICHAEL CHERTOFF,
Secretary of Homeland Security, in his official
capacity; ALBERTO GONZALES, Attorney
General of the United States, in his official
capacity,

Respondents.

Case No. 06-cv-01776-W-LSP

**STIPULATION AND
ORDER
DISMISSING PETITION
WITHOUT PREJUDICE**



1 Additional Petitioner's counsel:

2

3 JUDY RABINOVITZ*
 4 AMERICAN CIVIL LIBERTIES UNION
 5 FOUNDATION
 6 IMMIGRANTS' RIGHTS PROJECT
 7 125 Broad Street, 18th Floor
 8 New York, NY 10004
 9 Telephone: (212) 549-2618
 10 Facsimile: (212) 549-2654

11 *Application for admission *pro hac vice* forthcoming

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1 THE PARTIES HEREBY STIPULATE AS FOLLOWS:

2 1. Petitioner filed the instant matter on September 1, 2006, seeking his
3 release from immigration custody. On September 15, 2006, Petitioner was released from
4 immigration custody.

5 2. Respondents stipulate and agree that Petitioner will not be re-detained
6 during the pendency of his removal proceedings and appeals so long as (1) he does not
7 violate the conditions of the Order of Release on Recognizance, attached hereto as
8 Exhibit A; and (2) a stay of removal is in effect pending final outcome of all appeals and
9 proceedings, including any proceedings on remand to the immigration courts, in the
10 removal action against Mr. Bravo Pedroza.

11 3. In light of the foregoing, the parties hereby agree to dismiss this action
12 without prejudice.

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16 By: 

CECILLIA D. WANG

17 Dated: September 26, 2006

Attorneys for Petitioner
JAIR BRAVO PEDROZA

CAROL C. LAM
United States Attorney
ROBERT H. PLAXICO
Assistant United States Attorney
OFFICE OF THE UNITED STATES
ATTORNEY
Federal Office Building
880 Front Street, Room 6293
Telephone: (619) 557-7157

Dated: September 27, 2006

By: 

ROBERT H. PLAXICO

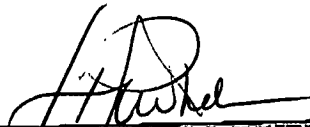
Attorneys for Respondents

ORDER

Based on the parties' stipulation, the above is SO ORDERED and the Petition for Writ of Habeas Corpus is dismissed without prejudice.

SO ORDERED.

Dated: September 27, 2006


HONORABLE THOMAS J. WHELAN
UNITED STATES DISTRICT JUDGE

U.S. DEPARTMENT OF HOMELAND SECURITY
Immigration and Customs Enforcement

Order of Release on Recognizance

File No: A99 625 924

Date: September 15, 2006

Alien: BRAVO-Pedroza, Jairo, 10372 Ramona Ave., Apt B., Montclair, CA 97163
PH# ((909) 625-0483 c/o

You have been arrested and placed in removal proceedings. In accordance with section 236 of the Immigration and Nationality Act and applicable provisions of Title 8 of the Code of Federal Regulations, you are being released on your own recognizance provided you comply with the following conditions:

☒ You must report for any hearing or interview as directed by the Immigration and Naturalization Service or the Executive Office for Immigration Review.

☒ You must surrender for removal from the United States if so ordered.

☒ You must report in (writing)(person) to ICE, Deportation Office

(Name and Title of Case Officer)

at Nearest ICE OFFICE

(Location of INS Office)

on

Monthly

(Day of each week or month)

at

9am-11am

(Time)

If you are allowed to report in writing, the report must contain your name, alien registration number, current address, place of employment, and other pertinent information as required by the officer listed above.

☒ You must not change your place of residence without first securing written permission from the officer listed above.

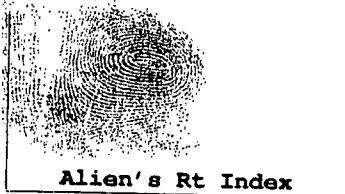
☒ You must not violate any Local, State, or Federal laws or ordinances.

☒ You must assist the Immigration and Naturalization Service in obtaining any necessary travel document.

☐ Other: _____

☐ See attached sheet containing other specified conditions (Continue on separate sheet if required)

NOTICE: Failure to comply with the conditions of this order may result in revocation of your release and your arrest and detention by the Immigration and Naturalization Service.



(Signature of INS Official)

Nora S. Antunez, Field Office Director

(Printed Name and Title of Official)

Alien's Acknowledgment of Conditions of Release on Recognizance

I hereby acknowledge that I have (read)(had interpreted and explained to me in the Spanish language) and understand the conditions of my release as set forth in this order. I further understand that if I do not comply with these conditions, the Immigration Service may revoke my release without further notice.

(Signature of INS Official Serving Order)

BRAVO-Pedroza, Jairo
(Signature of Alien)

September 15,
2006
(Date)

Cancellation of Order

I hereby cancel this order of release because: ☐ The alien failed to comply with the conditions of release.

☐ The alien was taken into custody for removal.

(Signature of INS Canceling Order)

(Date)



Notice of Release and Proof of Service

To: BRAVO-Pedroza, Jairo
10372 Ramona Ave., Apt B.
Montclair, CA 97163

Date: September 15, 2006
File: A36 144 276
Bond: [Own Recognizance]
Amount: N/A

You have been released from service custody pending a final decision in your exclusion/deportation hearing. It is understood that you will be residing at the above address. The law requires you notify the Immigration Judge (at the address shown below) of any address correction or address change. When doing so, be sure to include your name and the File Number shown above in your written communication. The attached form, EOIR-33 can be used for this purpose.

Office of the Immigration Judge
401 "A" Street, Suite 800
San Diego, CA 92101

If you have already appeared before the Immigration Judge, you have been told when to appear for a further hearing. If you have yet to appear before the Judge, a notice of hearing will soon be sent to you at the above address. If you do not appear for the hearing, three (3) actions can be taken in your case:

1. Your deportation hearing may be held in your absence.
2. If a bond has been paid, it may be breached.
3. A warrant for your arrest may be issued.

I certify that the address listed above, furnished by me to the Service, is correct, and that a copy of this notice has been received by me this date

Jairo Bravo
BRAVO-Pedroza, Jairo
Signature of Respondent

9-15-06
Date

PROOF OF SERVICE

I certify that, on this date, I served the attached Form I-830 and release notice on the respondent by the following method (as checked):

☒ Hand delivery.

☐ By first class mail, postage prepaid, to the following address:

☐ Service by mail on respondent's counsel of record at the following address:

[Signature]
Signature and Title of INS Employee

9/15/06
Date

